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UNITED STATE DISTRICT COURT

DISTRICT OF NEVADA

BART STEPHENS and DUANE HUTCHINGS,
Plaintiffs,

vs.

ONE NEVADA CREDIT UNION f/m/k
NEVADA FEDERAL CREDIT UNION, DOES
I through V, and ROE CORPORATIONS I
through V.

Defendant.

Case No. 2:13-cv-01712-JAD-PAL

**STIPULATION AND ORDER
TO EXTEND DISCOVERY
DEADLINES**

(First Request)

IT IS HEREBY STIPULATED AND AGREED by and between the parties' counsel of record that the Scheduling Order (Dkt. #26) deadlines in this case be extended as follows:

1. Discovery Deadline – August 3, 2015.
2. Dispositive Motion Deadline – September 2, 2015.
3. Joint Pretrial Order Deadline – October 2, 2015. In the event dispositive motion(s) are filed, the date for filing the joint pretrial order shall be suspended until 30 days after the Court enters a ruling on the dispositive motions, or otherwise by further order of the Court.

This is the first request for an extension of these deadlines, and is submitted in

1 accordance with the Court's Scheduling Order and 21 days before the current discovery
2 cut-off date. The parties provide the following information to the court in connection
3 with their request for an extension.

4 **Discovery Completed To Date**

5 The parties have exchanged initial disclosures. Defendant has also served
6 interrogatories and requests for production of documents to Plaintiff Hutchings and
7 separate interrogatories and requests for production of documents to Plaintiff Stevens.
8 Defendant has further requested and received documents from the Equal Employment
9 Opportunity Commission and has requested, but awaiting a response, from the Nevada
10 Labor Commissioner. Plaintiff Hutchings has answered his discovery requests, but
11 Plaintiff Stevens has not. Plaintiffs have sent Defendant their first set of interrogatories
12 and requests for production of documents, but the time to respond to such discovery has
13 not yet arrived.

14 **Discovery That Remains To Be Completed**

15 Defendant will need to respond to Plaintiffs' outstanding discovery requests and
16 Plaintiff Stevens will need to respond to Defendant's outstanding discovery requests.
17 Defendant will need to take the dispositions of both Plaintiffs and Plaintiffs will need to
18 take the deposition of three employees of Defendant.

19 **Reasons Why Discovery Remaining Cannot**
20 **Be Completed Within the Time Limits**

21 Although the parties filed a Joint Notice (Dkt. #30) on January 23, 2015, that the
22 matter was subject to Early Neutral Evaluation ("ENE"), this case was not scheduled for
23 ENE until April 21, 2015. Because Plaintiffs' counsel has stated to Defendant's
24 counsel that she believes that the matter could be settled, or significantly reduced, at the
25 ENE, the parties agreed to not spend significant time and money on discovery if the
26 case could settle. The late setting on the ENE by the Court has resulted in insufficient
27 time to complete discovery if the case is not settled at the upcoming ENE.

1 It should also be noted that Plaintiffs sought leave to file an Amended
 2 Complaint to add collective action allegations on January 26, 2015. After receiving
 3 approval, Plaintiffs filed their Amended Complaint on March 17, 2015. Defendant then
 4 filed its answer to the Amended Complaint on April 3, 2015. The parties now need to
 5 address these new allegations through discovery.

6 Based upon the late scheduling of the ENE and Plaintiffs recently amending
 7 their complaint, the parties believe there is good cause for the requested extension.

8 IT IS HEREBY STIPULATED AND AGREED:

9 ALTHEA GILKEY, CHTD

FISHER & PHILLIPS LLP

10 Dated: April 13, 2015

Dated: April 13, 2015

11 By: /s/ Althea Gilkey, Esq.

By: /s/ David B. Dornak, Esq.

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17 IT IS SO ORDERED

18 
 19 UNITED STATES MAGISTRATE JUDGE

20 Dated: April 17, 2015

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